

21—50.10(159) Certified vendor obligations. A certified vendor shall be responsible for, but not limited to, all of the following:

1. Beginning each market day with at least 20 percent of all products for sale or display in a certified vendor stall as eligible foods, having personally grown a majority of the eligible foods for sale or display, and with all produce being locally grown. When eligible foods are purchased for resale from another producer or wholesaler, valid receipts must be presented to the department upon request and must contain the following information: the name, address and telephone number of the producer/wholesaler; the date of purchase; location of the growing site; and quantity purchased, itemized by product type.

2. Accepting vouchers only for a transaction that takes place at the location, hours, and days of an authorized farmers' market/farmstand, only in exchange for eligible foods, and signed by the recipient or proxy at the time of purchase.

3. Prominently displaying a certified vendor identification sign that is located on the customer traffic side of the stall only at the location, hours, and days of an authorized farmers' market/farmstand. The certified vendor identification sign must be removed or covered when the eligible foods are sold out.

4. Providing eligible foods to recipients upon receipt of a valid and properly completed voucher, which is signed at the time of sale. Vouchers that are properly presented must be accepted by certified vendors participating in the FMNP/SFMNP.

5. Accepting vouchers as payment for eligible foods only if presented on or before the usage expiration date printed on the face of the voucher.

6. Stamping each transacted voucher with the certified vendor number prior to voucher deposit and submitting vouchers for payment on or before 15 days following the expiration date printed on the face of the voucher.

7. Handling transactions with recipients in the same manner as transactions with all other customers, to ensure that FMNP/SFMNP clients are not exposed to discriminatory practices in any form.

8. Not collecting state or local taxes on purchases involving vouchers.

9. Providing eligible foods to recipients at the current price or less than the current price charged to other customers.

10. Not levying a surcharge based on the use of vouchers by recipients.

11. Not returning cash or issuing credit in any form to recipients during sales transactions that involve vouchers only. In the event of a single transaction in which a recipient presents a combination of cash and vouchers for the purchase of locally grown fresh produce, cash or credit up to the value of the cash portion of the payment may be given to the recipient. Credits or refunds may not be issued on returned eligible foods that were purchased with vouchers.

12. Participating in training as the department deems necessary to carry out the intent of FMNP/SFMNP.

13. Cooperating with the department in the evaluation of each season by completely and accurately responding to a survey, with resubmission to the department in a specified and timely manner.

14. Immediately informing the department in the event of loss, destruction, or theft of the certified vendor identification card, certified vendor identification sign, or certified vendor stamp so that a replacement may be issued.

15. Complying with all procedures and rules as herein outlined and as delineated in the department vendor agreement, the certified vendor handbook, and written notices of clarification issued by the department to the vendor.

16. Complying with the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, United States Department of Agriculture regulations on nondiscrimination contained in Parts 15, 15a and 15b and FNS instructions as outlined in 248.7 and 249.7 of the Title 7 Code of Federal Regulations as of May 26, 2005.

17. Agreeing to be monitored at farmers' markets/farmstands and growing sites for compliance with FMNP/SFMNP requirements, including both overt and covert monitoring, and providing directions to growing sites upon request of department staff.

18. Not seeking restitution from FMNP/SFMNP recipients for vouchers not paid by the department.

19. Paying the department for any vouchers transacted in violation of the FMNP/SFMNP regulations.

20. Ensuring that all other persons who act on behalf of the certified vendor at a farmers' market/farmstand act solely on behalf of the certified vendor and understand and adhere to the procedures and regulations of the FMNP/SFMNP.

21. Coordinating with other certified vendors to ensure that at least one certified vendor remains at the authorized farmers' market during the posted hours and days of operation.